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**Globalization and interdependence: preventing and combating corrupt practices and transfer of funds of illicit origin and returning such assets to the countries of origin**

**Qatar:* draft resolution**

## Preventing and combating corrupt practices and transfer of funds of illicit origin and returning such assets to the countries of origin

*The General Assembly*,

*Recalling* its resolution 58/205 of 23 December 2003,

*Recalling also* the Monterrey Consensus of the International Conference on Financing for Development,[1] which underlined that fighting corruption at all levels is a priority, and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[2]

*Recognizing* that corruption at all levels is a serious barrier to development and diverts resources away from activities that are vital for the eradication of hunger and poverty and for economic and sustainable development,

*Reiterating its concern* about the seriousness of problems posed by continuing corrupt practices, which may endanger the stability and security of societies, undermine the values of democracy and civil ethics and jeopardize sustainable and political development, in particular when an inadequate national and international response leads to impunity,

*Considering* that the prevention of corrupt practices and the transfer of assets of illicit origin and the return of such assets to the countries of origin have not been adequately regulated by all national legislations and international legal instruments,

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

[1] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18-22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[2] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

1. *Takes note* of the report of the Secretary-General;[3]

2. *Recognizes* the efforts of Member States that have enacted laws to prevent and combat corrupt practices and the transfer of illicitly acquired assets and for the return of such assets to the countries of origin, in accordance with the United Nations Convention against Corruption,[4] and encourages Member States that have not yet done so to enact such laws;

3. *Encourages* all Member States that have not yet done so to require financial institutions to properly implement comprehensive due diligence and vigilance programmes that could facilitate transparency and prevent the placement of illicitly acquired funds;

4. *Further encourages* subregional and regional cooperation, where appropriate, in the efforts to prevent and combat corrupt practices and the transfer of assets of illicit origin and for the return of such assets to the countries of origin;

5. *Calls for* further international cooperation, inter alia, through the United Nations system, in support of national, subregional and regional efforts to prevent and address the transfer of assets of illicit origin, as well as to return such assets to the countries of origin;

6. *Reiterates its request* to the international community to provide, inter alia, technical assistance to support national efforts to strengthen human and institutional capacity aimed at preventing corrupt practices and the transfer of assets of illicit origin, returning such assets to the countries of origin and formulating strategies for mainstreaming and promoting transparency and integrity in both the public and private sectors;

7. *Calls upon* the private sector, at both the national and international levels, including small and large companies and transnational corporations, to remain fully engaged in the fight against corruption, emphasizes the need to take concrete action within the United Nations system and with the participation of all relevant stakeholders to ensure corporate responsibility and accountability, as well as to fight corruption at all levels more effectively, and takes note of the agreement by the Global Compact Leaders Summit, held in New York on 24 June 2004, to add an anti-corruption principle to the Global Compact;

8. *Reiterates its invitation* to all Member States and competent regional economic organizations to sign, ratify and fully implement the United Nations Convention against Corruption as soon as possible in order to ensure its rapid entry into force;

9. *Takes note* of the initiatives taken by the Group of Eight and the Commonwealth Secretariat with regard to preventing and combating corrupt practices and the transfer of funds of illicit origin and returning such assets to the countries of origin;

10. *Encourages* Member States to provide adequate financial and human resources to the United Nations Office on Drugs and Crime, and invites further efforts to coordinate existing and future initiatives taken by Member States and other organizations with the work of the United Nations Office on Drugs and Crime

[3] A/59/203 and Add.1.

[4] Resolution 58/4, annex.

in the area of preventing and combating corrupt practices and the t[illegible]nsfer of funds of illicit origin and returning such assets to the countries of origin;

11. *Encourages* the United Nations Office on Drugs and Crime to give high priority to technical cooperation, upon request, to facilitate the signing and the ratification, acceptance, approval or accession and subsequent implementation of the United Nations Convention against Corruption, including the early finalization of the legislative guide for the ratification and implementation of the Convention;

12. *Expresses its concern* over transactions in and/or the transfer of assets of illicit origin from developing and developed countries, which seriously undermine economic growth and development, besides deepening hunger and poverty, fostering crime and facilitating terrorism;

13. *Encourages* Member States to prevent, detect and penalize the transfer of illicitly acquired assets and to return such assets to the countries of origin;

14. *Calls upon* the Secretary-General to commission an analytical study to be carried out by the United Nations Conference on Trade and Development to ascertain the extent and scale of the transfer of illicitly acquired assets from developing countries, to examine its impact on the economic growth and development of developing countries and to make recommendations on how such outflows can be halted;

15. *Encourages* Member States, relevant international organizations and the United Nations Office on Drugs and Crime to give prominence to International Anti-Corruption Day, established by General Assembly resolution 58/4;

16. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution under the sub-item entitled "Preventing and combating corrupt practices and transfer of funds and assets of illicit origin and returning such assets to the countries of origin".